

REMARKS

Claims 36, 38-48, 50-56, 59, 61-63, 64, and 69-79 are pending in the present application. Claims 36, 39, 41, 46, 48, 50, 51, 55, 59, 61, 62, 63, and 69-72 were amended to further describe that which was previously claimed. Claims 74-78 were added, and Claims 57-58, 64 and 67-68 were canceled. Support for the amendments is included in at least paragraphs [0012]-[0015], [0037]-[0041], [0048]-[0050], [0055], [0062], [0128], and [0137] of Applicant's specification. No new matter has been added. Favorable reconsideration and allowance of the present application are respectfully requested in view of the amendments and the following discussion.

Information Disclosure Statement

An Information Disclosure Statement was filed on November 13, 2006, together with a PTO Form 1449 listing the references cited therein. Applicant received an initialed copy of the PTO Form 1449. However, U.S. Patent No. 7,020,251 was not initialed as having been considered by the Examiner. Applicant again respectfully requests a copy of the PTO Form 1449 with initials next to U.S. Patent No. 7,020,251 to confirm that U.S. Patent No. 7,020,251 has been considered and made of record in the case.

Claim rejections pursuant to 35 U.S.C. § 101

Claims 48-58 were rejected pursuant to 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 48-58 were amended in an after final response filed December 26, 2007, and were entered as indicated in an advisory action mailed February 4, 2008. The amendments to Claims 48-58 render these rejections moot. Thus, Applicant respectfully requests withdrawal of the 35 U.S.C. §101 rejections.

Claim rejections pursuant to 35 U.S.C. § 112 first paragraph and second paragraph

Claims 71 and 72 were rejected pursuant to 35 U.S.C. § 112 first paragraph as failing to comply with the written description requirement. Specifically, the Examiner could not find support in the specification for the limitations "transmitting the voice-based response and the text-based response sequentially" as recited in Claim 71 and "accessing a database to determine a format of the response that is compatible with the wireless terminal" as described in Claim 72.

To satisfy the written description requirement, a patent specification must describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention. (MPEP 2163(1))

With regard to Claim 71, at least paragraph [036] of the specification describes that "The multi-modal messaging system 10 discloses methods of using multiple modes of communication between a respective remote terminal 14 and a respective multi-modal message server 20 during a single interaction, thereby allowing the multi-modal message server 20 to respond to the demands of the user using both voice and text-based messages, for example." In addition at least paragraph [037] of the specification describes "As such, in these examples, the multi-modal messaging system 10 is designed to provide the wireless terminal 14 with text-based messages that are responsive to the requests for information after the wireless telephone call has been disconnected and the user has already received the voice-based messages that are responsive to the requests for information."

Thus, in view of at least paragraphs [036] and [037] of Applicant's specification, the limitations "transmitting the voice-based response and the text-based response sequentially" as recited in Claim 71 are described in the specification in sufficient detail that one skilled in the art could reasonably conclude that the inventor had possession of the claimed invention.

With regard to Claim 72, at least paragraph [045] describes "In addition, the virtual customer database 32 may include customer data that includes information about the wireless terminal 14 that the user is using such as limitations for the amount or type of data content that the wireless terminal 14 can receive or the type of display used by the wireless terminal 14 so that responses can be structured in a format that is compatible with the display." Thus, in view of at least paragraph [045] of Applicant's specification, the limitations "accessing a database to determine a format of the response that is compatible with the wireless terminal" as recited in Claim 72 are described in the specification in sufficient detail that one skilled in the art could reasonably conclude that the inventor had possession of the claimed invention.

Claim 59 was rejected pursuant to 35 U.S.C. § 112 first paragraph as being indefinite for lacking antecedent basis for the terms "that information." Claim 59 was amended in an after final response filed December 26, 2007, which was entered with the advisory action mailed February 4, 2008. The amendment to Claim 59 rendered this rejection moot.

For at least the foregoing reasons, Claims 71 and 72 and amended Claim 59 are supported by the specification, and are clear and definite. Thus, Applicant respectfully requests withdrawal of the 35 U.S.C. § 112 first and second paragraph rejections of these claims.

Claim rejections pursuant to 35 U.S.C. § 103(a)

Claims 36, 38, 44-45, 47-48, 50, 56, 58-59, 61, 65, 67-70 and 73 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,449,344 to Goldfinger et al. (hereinafter referred to as "Goldfinger"), U.S. Patent Publication No. 20030078034A1 to Tsutsumi et al. (hereinafter referred to as "Tsutsumi"), and further in view of U.S. Patent No. 6,546,005 to Berkley et al. (hereinafter referred to as "Berkley"). Also, Claims 39, 43, 46, 51, 54, 62, 63 and 71 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over

Goldfinger, in view of Tsutsumi, in view of Berkley, and further in view of U.S. Patent No. 7,003,082 to Engelke et al. (hereinafter referred to as "Engelke"). Further, Claims 41, 52, 55, 57 and 64 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Goldfinger, in view of Tsutsumi, in view of Berkley, and further in view of U.S. Patent Publication No. 20020055351A1 to Elsey et al. (hereinafter referred to as "Elsey"). In addition, Claims 42 and 53 were rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over Goldfinger, in view of Tsutsumi, in view of Berkley, and further in view of U.S. Patent No. 6,345,245 to Sugiyama et al. (hereinafter referred to as "Sugiyama"). Also, Claim 72 was rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over Goldfinger, in view of Tsutsumi, in view of Berkley, and further in view of U.S. Patent Publication No. 20050020250A1 to Chadda et al. (hereinafter referred to as "Chadda"). Applicant respectfully traverses these rejections since the presently cited combinations of references fail to teach or suggest each and every limitation of the presently pending claims. Thus, a *prima facie* case of obviousness cannot be maintained.

Claims 36, 38-47, and 69-72

The method of amended Claim 36 comprises the steps of receiving, from a wireless terminal operated by a requestor, a contact information request ..., and identifying the requestor from unique information included with the contact information request. Goldfinger, on the other hand describes a user that is notified as being connected to a communication network (Col. 5 lines 37-44) and the user provides a predefined list of sought users that is maintained by a communication apparatus (Col. 6 lines 3-5). Thus, neither Goldfinger nor any other of the cited portions of the presently cited references teach or suggest identifying a requestor from unique information included with a contact information request as described in Claim 36.

Claim 36 also describes generating an authorization request ...[that]... includes an indication of an identity of the requestor based on identification of the requestor from the unique information. Neither Goldfinger, nor any other of the cited portions of the presently cited references teach or suggest inclusion of an indication of an identity of a requestor in an authorization request as described in Claim 36. Claim 36 further describes accessing a database to determine format preferences of the requestor based on the identity of the requestor, and generating a response for transmittal to the wireless terminal...the response generated in accordance with the format preferences of the requestor. None of the cited references either alone or in combination teach or suggest accessing a database to determine format preferences or generating a response in accordance with format preferences as described in Claim 36.

Claim 39 describes a response that comprises a multi-modal message that includes both a voice-based response and a text-based response generated during a single interaction in accordance with the format preferences of the requestor. On page 8 of the office action, it was asserted that "Engelke teaches providing both text and voice messages to a user." Applicant respectfully traverses this assertion. Claim 39 describes generating a response that comprises a multi-modal message that includes both a voice-based response and a text-based response, Engelke, on the other hand describes receipt of a voice, and conversion of the received voice to text. Thus, Engelke does not teach or suggest generation of both a voice-based response and a text-based response since the voice in Engelke is communicated by a user. (Fig. 4) Moreover, none of the cited references teach or suggest a multi-modal message generated in accordance with format preferences of a requestor.

Claim 40 describes that the request includes at least one information record item about the subscriber terminal... On page 9 of the office action, it was asserted that "Futagami teaches

sharing information stored in a personal information database [Abstract]." Applicant respectfully asserts that Claim 40 describes a request that includes at least one information record item. The cited portions of Futagami, on the other hand, fail to teach or suggest a request that includes at least one information record item.

Claim 41 describes interpreting the contact information request with a voice recognition module when the contact information request is a spoken request. On page 10 of the office action, it was asserted that "Elsey disclose (sic) voice response unit to process information assistance calls." However, Elsey specifically describes a voice response unit (VRU) to play back constantly repeated parts of an operator's speech and for receiving verbal input from a party connected to the VRU. (paragaraph [0051]) Thus, Elsey teaches away from the claimed invention by describing that a party must be "connected" to the VRU. In Claim 41 a request received from a wireless terminal is described. The wireless terminal is not "a party connected to the VRU" as described by Elsey. Moreover, Claim 42 depends from Claim 41, yet Elsey, which makes a combination of five cited references, is not identified in the obviousness rejection of Claim 42. Applicant respectfully traverses the rejection of Claim 42 since neither Elsey nor Sugiyama teach or suggest interpretation of anything with the combination of a voice recognition module and a natural language processing module as described in Claim 42.

Claim 45 describes accessing a customer proprietary information record having customer contact data that includes a contact preference, the customer proprietary information record associated with the subscriber terminal. On page 8 of the office action, it was apparently asserted that Goldfinger as modified by Berkley rendered obvious such limitations, however, Goldfinger is silent regarding any form of customer proprietary information record, and Berkley describes an active user registry database (AUR) that is associated with a user identified by name

and address (Col. 7 lines 8-16), not a subscriber terminal as described in Claim 45. Thus, the combination of Goldfinger and Berkley fails to teach or suggest a customer proprietary information record associated with a subscriber terminal as described in Claim 45.

Claim 46 describes interpreting the reply from the subscriber terminal, and generating a multi-modal response for transmission to the wireless terminal. On page 8 of the office action, it was asserted that "Engelke teaches providing both text and voice messages to a user." Not only does Engelke fail to teach or suggest generation of a multimodal response, as previously discussed, but also, Engelke fails to teach or suggest interpreting a reply. In fact, the office action does not assert that any of Goldfinger, Tsutsumi, Berkely or Engelke meets the limitation of interpreting a reply from the subscriber terminal as described in Claim 46, but rather simply disregards these limitations completely. Accordingly, it is respectfully requested that the rejection of Claim 46 be withdrawn as improper. (See MPEP 707 and 37 CFR §1.104(b) and 37 CFR §1.104(c))

Claims 48 and 50-56

In addition to the previously discussed reasons, Applicant also respectfully traverses the rejection of Claims 48 and 50-56 at least because amended Claim 48 describes a code segment to identify the requestor from unique information included with the contact information request. None of the cited portions of the cited references teach or suggest a code segment to identify the requestor from unique information included with the contact information request. Claim 48 also describes a code segment that generates an authorization request ...[that]... includes identification of the requestor as identified from the unique information. Neither Goldfinger, nor any other cited reference teaches or suggests an authorization request as described in Claim 48

that includes an indication of the identity of the requestor. Claim 48 also describes a code segment to determine from a database based on the identification of the requestor, a communication preference of the requestor and compatibility settings of the wireless terminal, and a code segment that generates a response to the wireless terminal...the response generated in accordance with the communication preference and the compatibility settings. None of the cited references teach or suggest a response generated in accordance with a communication preference and compatibility settings as described in Claim 48.

On page 7 of the office action it was asserted that independent Claim 48 was "rejected for the same reason as stated above in Claim 1." Applicant has assumed that the references to "Claim 1" are actually references to pending Claim 36 since Claim 1 is no longer pending in this case. If these statements are not meant to refer to Claim 36, Applicant respectfully requests issuance of an office action with the correctly cited Claim(s) and an opportunity to further respond.

Claims 59, 61-65 and 73

In addition to the previously discussed reasons, Amended Claim 59 and the claims dependent therefrom are not taught or suggested by the cited references at least because amended Claim 59 describes the information assistance application further configured to determine an identity of the requestor from unique information included with the contact information request. None of the cited references teach or suggest an information assistance application configured to determine an identity of the requestor from unique information included with the contact information request as described in Claim 59. In addition, Claim 59 describes that the information assistance application is further configured to generate an authorization request

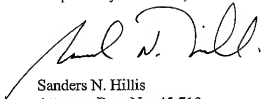
...[that]... includes the determined identity of the requestor, which is not taught or suggested by the cited references either alone or in combination. Amended Claim 59 also describes that the information assistance application is further configured to access a database based on the determined identity of the requestor to determine a user preference of a response message that is suitable for receipt by the wireless terminal, wherein the user preference of the response message is stored as user specific information of the requestor in the database, and the information assistance application is further configured to generate a response message ...[that]... is generated in accordance with the user preference. None of the cited references teach or suggest an information assistance application configured to access a database based on the determined identity of the requestor to determine a user preference of a response message that is suitable for receipt by a wireless terminal as described in Claim 59.

For at least the foregoing reasons, the cited references either alone or in combination fail to teach, suggest, disclose, or render obvious, each and every limitation of presently pending Claims 36, 38-48, 50-56, 59, 61-63, 64, and 69-73. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103(a) rejections of these claims. In addition, the cited references either alone or in combination fail to teach or suggest the limitations of new Claims 74-79.

With this amendment and response, independent Claims 36, 48, 59 and 78, and the claims dependent therefrom are patentable over the cited references. Thus, Applicant respectfully

requests the issuance of a Notice of Allowance for this application. Should the Examiner deem a telephone conference to be beneficial in expediting allowance/examination of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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